

TENNESSEE BOARD OF PHARMACY
WEBEX MEETING
665 Mainstream Dr.
Nashville, TN 37243

BOARD MEMBER PRESENT

Rissa Pryse, D. Ph President
Katy Wright, D.Ph., Vice President
Adam Rodgers, D.Ph.
Melissa McCall, D.Ph.
Richard Breeden, D.Ph.

BOARD MEMBER ABSENT

Debra Wilson, D. Ph.

STAFF PRESENT

Reginald Dilliard, Executive Director
Matthew Gibbs, Associate General Counsel
Larry Hill, Pharmacy Investigator
Rebecca Moak, Pharmacy Investigator
Robert Shutt, Pharmacy Investigator
Terry Grinder, Pharmacy Investigator
Richard Hadden, Pharmacy Investigator
Andrea Miller, Pharmacy Investigator
Derek Johnston, Pharmacy Investigator
Scott Denaburg, Pharmacy Investigator
Rita Golden, Pharmacy Investigator
Patricia Beckham, Pharmacy Investigator
Sheila Bush, Administrator Director

The Tennessee Board of Pharmacy convened on Tuesday September 15, 2020, in the Iris Room, 665 Mainstream Drive, Nashville, TN. A quorum of the members being present by WebEx, the meeting was called to order at 8:00 a.m. with Dr. Pryse presiding. Dr. Dilliard asked that public comments be sent via email.

Minutes

Dr. McCall made the motion to accept the minutes as amended. Dr. Breeden seconded the motion. A roll call vote was taken. The motion carried.

OGC Report

Mr. Gibbs stated that there are currently 55 cases open for discipline within the Office of General Counsel. Of those 55 cases, 9 are eligible for a contested hearing.

Mr. Gibbs informed the board that the Tennessee Board of Pharmacy along with the Tennessee Department of Health has been named as two of the defendants contained in the master docket for the National Prescription Opiate Litigation. The Office of the Attorney General is aware of this litigation.

Mr. Gibbs informed the Board's pharmacy intern and pharmacy technician rules are currently in internal review

Dr. McCall made the motion to accept the OGC Report as presented. Dr. Breeden seconded the motion. A roll call vote was taken. The motion carried.

Presentation

Ms. Emma Sampson, Program Coordinator for the Hamilton County Coalition, appeared before the board to discuss prescription medication safety measure during COVID-19. The Hamilton County Coalition is funded by the TN Department of Mental Health and Substances Abuse Services and will be addressing the opioid crisis and addiction epidemic in TN through education, prevention and intervention strategies. The Hamilton County Coalition serves the following counties; Hamilton, Bradley, Marion, Grundy, Sequatchie, Rhea, Meigs, McMinn, Polk and Bledsoe.

Waivers

Board rule 1140-03-.14 (12)

Dr. Breeden made the motion to approve **Charles Roberts, PharmD.** to be PIC of Sycamore Shoals, Unicoi County and Johnson County Community Hospital Pharmacies due to the impact of the Coronavirus and closures within the hospitals. Dr. Wright seconded the motion. The motion carried. A roll call vote was taken. The motion carried.

Dr. Wright made the motion to approve **Scott Faw, PharmD.** to be PIC of Vanderbilt Wilson County Hospital Pharmacy and Vanderbilt McFarland Campus. Dr. Breeden seconded the motion. A roll call vote was taken. The motion carried.

Board rule 1140-01-.05 (4)

Dr. Rodgers made the motion to approve the request from **Imuwahen Uzzio, Pharm. D.** to take the NPLEX and MPJE. Dr. Uzzi must also complete 150 pharmaceutical internship hours. Dr. Wright seconded the motion. A roll call vote was taken. The motion carried.

Board rule 1140-02-.02 (7)

Dr. Wright made the motion to approve the request from **Mac's Pharmacy, City Drug Co, Mac's Pharmacy Oak Ridge and Mac's Edgemoor Pharmacy** to increase the pharmacist to technician ratio from 4:1 to 5:1. All technicians over the 4:1 ratio must be certified. Dr. Rodgers seconded the motion. A roll call vote was taken. The motion carried.

Dr. Breeden made the motion to table the request from **Mac's LTC Pharmacy Solutions** to increase the pharmacist to technician ratio to 6:1. Dr. Wright seconded the motion. A roll call vote was taken. The motion carried.

Board rule 1140-01-13(3) (e)

Dr. Breeden made the motion to approve the request from **BCP Long Term Care Pharmacy** to waive the requirement for hot and cold running water. The sink will be located outside the pharmacy area. Dr. Rodgers seconded the motion. A roll call vote was taken. The motion carried.

Board rule 1140-03-.08

Dr. McCall made the motion to table the request from **Health & Wellness Compounding Pharmacy** to repackage medication. Dr. Wright seconded the motion. A roll call vote was taken. The motion carried.

**Appearance/Request to Reapply
April Fitzgerald, RT**

Dr. McCall made the motion to approve the request from April Fitzgerald, to reapply for registration as a pharmacy technician. Ms. Fitzgerald's registration as a pharmacy technician was revoked by the board on November 14, 2011. Dr. Wright seconded the motion. A roll call vote was taken. Dr. Breeden did not vote. The motion carried.

**Order Modification
Christopher Pittman, PharmD**

Dr. Pittman appeared before the board to request that the he be allowed to be a floater pharmacist. Dr. Pittman signed a consent order on 11/17/17 placing his pharmacist license on 10-year probation and the ability to float for 6 years. After discussion, Dr. Rodgers made the motion to modify Dr. Pittman's consent order to allow him to float as a pharmacist. Dr. McCall seconded the motion. A roll call vote was taken. The motion carried.

The Compounding Pharmacy

Dr. McCall made the motion to accept the Order of Modification for The Compounding Pharmacy. The Compounding Pharmacy has successfully completed the terms and conditions of the consent order dated March 13, 2018. Dr. Rodgers seconded the motion. A roll call vote was taken. The motion carried.

**Presentation
Remote Order Entry
Board rule 1140-02-.02 (4)**

Dr. Dilliard presented a policy for the board to consider for remote order entry. After discussion Dr. Breeden made the motion to accept the Remote Order Entry statement as policy. Dr. McCall seconded the motion. A roll call vote was taken. The motion carried.

POLICY FOR REMOTE ORDER ENTRY BY TECHNICIANS

The Tennessee Board of Pharmacy interprets the Tennessee Pharmacy Practice Act of 1996 and its corresponding rules and regulations at Tennessee Code Annotated § 63-10-204(36) and Official Compilation Rules and Regulations of the State of Tennessee 1140-02-.01(13) and 1140-02-.02(4) to allow remote order entry by registered pharmacy technicians. Listed below are best

practices when utilizing registered pharmacy technician for purposes of remote order entry. The Board maintains an expectation these best practices shall be followed.

- USE OF A VIRTUAL PRIVATE NETWORK-(VPN)
Definition: A set of authorized users on a public network such as the internet that communicate among themselves using encryption technology so that their messages are as safe from being intercepted and understood by unauthorized users as if the authorized users were connected by private lines.
- DATA SHOULD NOT RESIDE ON ANY WORKSTATION AND SHOULD NOT BE PRINTED OR RETRIEVED FROM THE WORKSTATION
- USE OF A TWO POINT USER AUTHENTICATION—each user should first identify themselves through a VPN secure token access, then use credentials to enter the operating system
- USER ID—Each user receives a unique user ID and should establish a complex password for identification and audit tracking
- LOCK OUT PROCESS—If no activity is detected, the system should automatically sign off the user until they go through the sign on process to re-establish connection
- AS STATED, THE SYSTEM RESTRICTS PRINTING CAPABILITIES FROM THE WORKSTATION
- ONLY TECHNICIANS WHO HAVE BEEN PROPERLY TRAINED SHOULD BE ELIGIBLE TO WORK FROM AN ALTERNATIVE WORKSITE. WHILE NOT REQUIRED, IT IS ENCOURAGED THAT THE TECHNICIAN BE CERTIFIED.
- ALL TECHNICIANS WORKING AT ALTERNATIVE WORKSITES SHALL COMPLY WITH ALL APPLICABLE FEDERAL AND STATE LAWS AND REGULATIONS AND ALL SHALL BE LICENSED IN TENNESSEE AND SUPERVISED BY A PHARMACIST LICENSED IN TENNESSEE
- This policy does not waive, limit, or dissolve any requirements mandated by the Board, in its rules and regulations, regarding supervision of pharmacy technician functions or the role of a pharmacist in dispensing processes.

Application Review **LaShonda Reed, RT**

Ms. Reed answered “no” to the question that asked, “Have you ever been convicted (including a nolo contendere plea or guilty plea) of a felony or misdemeanor (other than a minor traffic offenses) whether or not sentence was imposed or suspended?” Ms. Reed was arrested on 10/06/2019 for public intoxication and disorderly conduct; 3/29/2017 pled guilty to D 1st offense, driving on suspend/revoked license. After discussion, Dr. Wright made the motion for Ms. Reed to have an evaluation from the Tennessee Pharmacist Recovery Network (TPRN) before issuance of her registration as a pharmacy technician. Dr. Rodgers seconded the motion. A roll call vote was taken. The motion carried.

Gloria Sosme, RT

Upon renewal, Ms. Gilbert answered “yes” to the question that asked “I have been convicted of a crime and I have not previously notified the Board of the conviction. Ms. Sosme pled guilty to “Aiding and Abetting in the Transportation of Illegal Aliens form Financial Gain” 10/24/2019. She was sentenced to three (3) years of probation. After discussion, Dr. Rodgers made the motion to approval Ms. Sosme’s renewal with her registration being place on probation for 2 years. Dr. Breeden seconded the motion. A roll call vote was taken. The motion carried.

Consent Orders

Dr. McCall made the motion to accept the following consent orders as presented. Dr. Breeden seconded the motion. A roll call vote was taken. The motion carried.

Probation

Scott Aubuchon, D.Ph.

George Miller, D.Ph.

Smoky Mountain Pharmacy, lic #3923

Brittany Potter-Francisco, RT

Jana Zimmerman, D.Ph.

Violated Board rule 1140-03-.14 (2) (a) & (b)

Tennessee CVS Pharmacy #3727, lic #701

Voluntary Surrender

Sara Dugger, RT

Amy I Mata, D.Ph.

Nicole Nielsen (Morefield), RT

Zenobia Reaves, RT

Reprimand

Charles Jason Reid, D.Ph.

Violated Board rule 1140-03-. 14(2)(a)

West Pioneer Rx, lic #6753

Dr. Rodgers made the motion to adjourn. Dr. Breeden seconded the motion. The motion carried. The meeting adjourned at 2:07 p.m.

The minutes were approved at the December 1-2, 2020 as presented.